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S E C R E T SECTION 01 OF 05 THE HAGUE 002956

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STATE FOR AC/CB, NP/CBM, VC/CCB, L/ACV, IO/S  
SECDEF FOR OSD/ISP  
JOINT STAFF FOR DD PMA-A FOR WTC  
COMMERCE FOR BIS (GOLDMAN)  
NSC FOR CHUPA  
WINPAC FOR LIEPMAN

E.O. 12958: DECL: 11/25/2013

TAGS: [PARM](#) [PREL](#) [CWC](#)

SUBJECT: CHEMICAL WEAPONS CONVENTION (CWC): A/S DESUTTER'S  
CONSULTATIONS IN THE HAGUE - CWC AND OTHER ISSUES

Classified By: Ambassador Eric M. Javits, Ambassador to the OPCW. Reasons: 1.5 (B, D).

This is CWC-127-03.

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SUMMARY  
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1. (U) On November 17-18, Paula A. DeSutter, Assistant Secretary of State for Verification and Compliance, visited

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The Hague and consulted with officials of the Technical Secretariat of the Organization for the Prohibition of

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Chemical Weapons (OPCW) and other officials. She sought to build on relationships with the OPCW and advance verification and compliance issues related to the Chemical Weapons Convention (CWC).

2. (U) A/S DeSutter also addressed the Western European and Other States Regional Group (WEOG) and held bilateral meetings with representatives of the United Kingdom, Italy, and The Netherlands. In several of the bilateral meetings, the current IAEA-Iran situation was raised. End Summary.

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Meeting with Director-General Pfirter  
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3. (C) During her meetings with OPCW Director-General (DG) Rogelio Pfirter, Assistant Secretary for Verification and Compliance Paula DeSutter provided an overview of the VC bureau, and raised several issues relating to verification and compliance with the CWC. She stressed the importance the U.S. places on Article IX consultations to resolve compliance concerns. A/S DeSutter re-emphasized the U.S. view that the Technical Secretariat must achieve and maintain readiness to conduct a challenge inspection should one be requested. DG Pfirter fully agreed and explained that the TS has a program of exercises which it will continue in 2004. The DG expressed concern that the tenure policy might have an impact on readiness due to inspector turnover. A/S DeSutter also expressed her support for U.S. discussions with the TS to optimize the use of inspection resources to verify destruction activities at chemical weapons destruction facilities (CWDFs). She further pointed to progress that has been made to improve the Verification Implementation Report (VIR), and the importance of the VIR to States Parties assessments of compliance.

4. (C) DeSutter reviewed the progress of bilateral compliance consultations with several countries and sought information from the DG on the status of accession of Libya to the Convention. Responding to her question on the status of Libya's ratification of the CWC, DG Pfirter said the Libyan UN delegation had approached him recently in New York informing him that its government had ratified the Convention and plans to deposit its instrument of accession soon. In response to DeSutter's support for shifting verification effort to Other Chemical Production Facilities (OCPFs), DG Pfirter expressed the opinion that some industrial inspections should be repeat inspections, perhaps 5-10 percent, so that no facility would be considered exempt because it had already been inspected. He asked for USG assistance in addressing OCPF inspections in 2004.

5. (S) During the meeting, DG Pfirter expressed his strong support for universality of the CWC. The DG stated that Arab countries also need to take concrete steps to sign the CWC and show a degree of commitment to the elimination of chemical weapons (CW). He requested that A/S DeSutter take back to Washington his request that North Korean accession to the CWC be included during the current six-party talks. The DG said that he has made the same request of China, Japan and South Korea and plans to ask also Russia to lend its support.

DG Pfirter further mentioned that the Panamanians informed him that they had exhausted the possibilities of dialogue with the U.S. Pfirter asked for a non-paper from Panama on the issues but has yet to receive it. He expressed willingness to mediate the issue, if called upon.

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Meeting with the Verification Division  
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16. (U) A/S DeSutter also met with Horst Reeps, head of the Verification Division and several of his senior staff. In discussing the TS efforts to optimize the use of inspection resources to verify destruction activities at CWDFs, DeSutter advised that any action taken must not decrease the effectiveness of verification. She emphasized that any changes should be designed on a case-by-case basis at each CWDF. Reeps expressed his appreciation of U.S. efforts to date, and looked forward to the upcoming joint workshop of experts. Reeps also mentioned that the TS raised this issue with Russia and stated that it will have to be careful in addressing optimization at Russian facilities. He further noted that India is aware of TS efforts to conduct a case study of U.S. CWDFs.

17. (U) During the meeting, Donald Clagett, head of the Industry Verification Branch, gave DeSutter an overview of Article VI inspection activities for the past two years. He applauded USG efforts to develop a methodology of industry site selection criteria for DOC/PSF. DeSutter noted that this methodology had originated in the VC Bureau. Clagett agreed that not enough OCPFs have been inspected to date and that the January 2004 industry cluster will readdress this issue. Clagett mentioned that developing States Parties believed that they are being unfairly targeted for OCPF inspections, while other smaller States Parties feel good about participating in an international multilateral inspection process.

18. (U) A/S DeSutter expressed support for electronic submission of industrial declaration and asked Carlos Trentadue, head of the Declarations Branch, why the TS has not yet made progress. Trentadue said that he is amenable to electronic declaration submissions as this will save resources. He noted that timely submission of declarations as well as clarification of declarations are important issues that remain problematic. The TS is working with States Parties to address these issues. Trentadue informed DeSutter that the TS would be better able to detect discrepancies in declarations of transfers of scheduled chemicals if the data were available electronically. In response to a question, Reeps stated that Libya so far has not requested TS assistance in the preparation of its CWC declaration.

19. (U) Several senior staff members expressed their view that open-source information is valuable in the evaluation of declarations. However, both Trentadue and Per Runn, head of the Policy and Review Branch, pointed out that a number of States Parties have reacted negatively to TS inquiry based on open-sources. Runn also mentioned that the TS is working on improving the VIR. DeSutter applauded this and noted that the U.S. routinely provides substantive comments to the report.

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Meeting with UK Delegation  
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10. (S) In her meeting with Ambassador Budd of the United Kingdom, A/S DeSutter expressed her support for continuing bilaterally the challenge inspection dialogue that began earlier this year. Budd noted that the Executive Council last addressed the issue of challenge inspections almost three years ago. He asserted that the challenge inspection mechanism must always be in a state of readiness. DeSutter informed the Ambassador that both the U.S. and UK are in agreement on the issues related to the Russian destruction program and applauded the on-going compliance dialogue between VC and UK experts.

11. (S) Budd raised UK concerns about the status of Iran's nuclear program and explained the UK has been working closely with France and Germany on the draft IAEA Board of Governor's resolution. He also asked A/S DeSutter's view on the possible effects of raising internationally mutual concerns about Iran's CW program. A/S DeSutter informed him that the U.S. is holding follow-up CW questions to Iran until after the IAEA meeting this week in Vienna. Budd stated that the UK dialogue with France and Germany on nuclear issues may at some point spill over to include CW issues and emphasized the importance of building broad EU support. Budd also inquired on the U.S. position on the declaration and destruction of CW stocks if they are found in Iraq. He asked U.S. views on whether the OPCW would become involved and stated that Iraqi accession to the CWC could be a part of a larger strategy of openness and transparency. A/S DeSutter responded that the U.S. would carefully consider how to address the Iraqi CW issues of declaration and destruction of stocks and Budd noted that the UK will also do the same.

¶12. (U) A/S DeSutter addressed the WEOG noting the importance of the VIR in addressing verification and the importance of using Article IX as a tool to resolve compliance issues. DeSutter also stated the importance of increasing the number of inspections for OCPFs and urged the WEOG to address this issue in the upcoming Executive Council sessions. During the questions and answer session, a number of States Parties supported A/S DeSutter's views on OCPFs. Spain took the opportunity to raise the importance of the challenge inspection tool.

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Meeting with Italian Delegation  
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¶13. (S) Italian Alternate Perm Rep Giancarlo Malpaga informed A/S DeSutter that Libya did not inform Italy of a specific date on which Libya would deposit its CWC instrument of ratification to the UN. Malpaga mentioned that Italy met with the Libyan delegation on the margins of the 8th Conference of the States Parties in October. Malpaga said that Italy has since demarched Libya seeking further clarification on ratification and is awaiting a response. He was unable to provide an update on the nature of conversion activities at Rabta and asserted that he is unaware of any other States Party that may be providing CWC assistance to Libya. Malpaga said that Italy has made clear to Libya that it expects a full declaration in accordance with the CWC. When asked about recent EU statements on the challenge inspection mechanisms, Malpaga replied that beyond general support of the mechanism, the EU was divided on how to use challenge inspections.

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Meeting at Dutch Foreign Ministry  
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¶14. (U) Mr. Maurits Jochems, Director of the Security Policy Department of the Netherlands MFA, welcomed DeSutter to discuss a range of issues relating to the CWC, Iran nuclear talks, BWC verification, North Korea nuclear talks and the USG efforts to control, sanction and interdict WMD equipment, technology and materials. DeSutter explained the functions of the VC bureau and recounted her discussions with the OPCW. Marc Vogelaar, Dutch Ambassador to the OPCW, expressed his support for DG Pfirter and noted Pfirter's businesslike approach to managing the OPCW. A/S DeSutter also discussed with Ambassador Arend Meerburg, who oversees the Netherlands contribution to Russia CW destruction program, her concerns about Russia's failure to address Condition 1. DeSutter reaffirmed that Russia has signed two recent Cooperative Threat Reduction (CTR) amendments to ship nerve agent reaction mass to Shchuch'ye to complete its nerve agent destruction at a declared CWDF.

¶15. (U) The Dutch inquired about the progress of the Iran nuclear talks in Vienna and the North Korea nuclear talks, and expressed their support of the ongoing dialogues. The Dutch also inquired about whether the U.S. would seek to develop further verification activities under the BWC. A/S DeSutter expressed her opinion that the BWC is verifiable but it is difficult to make cases on noncompliance due to the dual use nature of biological facilities. DeSutter stated that more work is needed on the enforcement area. Jochems raised Dutch concerns about reported U.S. efforts to develop "mini-nukes" and how this might be seen by some countries as an excuse not to join the NPT or to evade obligations under that regime. DeSutter rejected these concerns.

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IT Security and other Data Automation Issues at Technical Secretariat  
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¶16. (U) DeSutter touched on information technology (IT) issues in her meetings with the DG, the Verification Division and most especially with Director of Administration Herb Schulz and Head of the Information Systems Branch, Greg Linden. She spoke of U.S. interest in making the OPCW TS a model for IT security standards among international organizations. She made clear her vision of efforts to improve transparency in the areas of treaty compliance and her belief that an efficient and secure data processing system would significantly improve the ability of the OPCW to meet its Treaty objectives. The TS was encouraged to fully embrace the IT security audit process, recognizing that outside corroboration of a secure automation environment would go far in encouraging State Parties to adopt an automated declaration process. The TS has agreed to a notional baseline audit of the TS'

secure network for early 2004. Schulz and Linden noted that their system upgrade to Windows 2000 would be completed by then and a Phase I prototype for the Verification Information System/Relational Database Management System (VIS/RDBMS) would be available for demonstration. The U.S. side expressed continued concern regarding the size and composition of the audit team -- noting that wider representation would be preferred for greater acceptance of any report generated regarding their review.

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Working Lunch with Selected Ambassadors  
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¶17. (U) A/S DeSutter had an opportunity during lunch on November 17 to meet with Ambassadors of China, India, Japan, South Korea, Mexico, Russia, and the Czech Republic. DeSutter explained her role in the USG process and, at the urging of the U.S. Del, raised U.S. views on increasing inspection activities at OCPFs. Japanese Ambassador Koike began a discussion of the challenge inspection mechanism by inquiring if a request for a CI would be seen as a routine matter or a significant political event. DeSutter replied that the first request would be a significant event but that did not preclude a request. Indian Ambassador Cowsik stated that a challenge inspection would be a major political event as it would represent a lack of trust in other States Party's compliance and was intended for somewhat exceptional circumstances. In response to a general question about recent EU emphasis on the challenge inspection mechanism, Ambassador Onate of Mexico expressed the opinion that the EU wanted to emphasize it but did not appear to have any plans to call for one.

¶18. (C) Comment: A/S DeSutter's visit gave the U.S. an excellent opportunity to raise to a higher level the importance of the verification and compliance message to the TS and States Parties. She also had the opportunity to hear

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a number of differing ideas on a range of issues including nuclear, nonproliferation and sanctions.

¶19. (U) A/S DeSutter has cleared this message.

¶20. (U) Javits sends.  
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